

R E M A R K S

Claims 1-3 are pending in this application. A grammatical change has been made in these claims in the present Reply.

The Examiner has indicated that claims 2 and 3 contain allowable subject matter and are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, as discussed below, it is believed that base claim 1 is also allowable.

Claim 1 has been rejected under 35 U.S.C. § 102(b) as being "anticipated" by Titterington et al. (U.S. Patent 6,015,847). This rejection is respectfully traversed.

The Examiner states that Titterington et al. disclose a phase change ink composition comprising a phase change carrier composition, at least one compatible phase change magenta colorant material and at least one organic sulfonic acid compound (abstract and column 2, line 66-column 3, line 3). The Examiner also states that the '847 patent further discloses that the magenta colorant materials are rhodamine-type colorants such as Solvent Red 49 (fluorescent) and Solvent Red 127 (non-fluorescent) (column 3, lines 40-47 and column 9, lines 30-35). Thus, the Examiner takes the position that the composition as taught by Titterington et al. appears to anticipate the claimed invention.

Indeed, Titterington et al. describe inks having one or more magenta colorants. In particular, Titterington et al. describe inks comprising in combination C.I. Solvent Red 49 and C.I. Solvent Red 127. At column 9, lines 30-35, according to Titterington et al., Solvent Red 49 and Solvent Red 127 are generally known as "RHODAMINE DYES". However, the colorant C.I. Solvent Red 127 is not of the Rhodamine type, but instead of the CHROME-AZO type. Attached hereto is a copy of the corresponding page from the COLOUR INDEX evidencing that the colorant C.I. Solvent Red 127 is not of the Rhodamine type, but of the Chrome-Azo type. Thus, the statement made by Titterington et al. at column 9, lines 33-35 is incorrect. Accordingly, it is absolutely clear to one skilled in the art that the Titterington et al. '847 patent discloses hot melt inks comprising two magenta colorants of a different type.

Accordingly, it is respectfully submitted that claim 1 is not anticipated by the Titterington et al. disclosure and that claim 1 is patentable over the cited prior art.


Favorable action is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Raymond C. Stewart (Reg. No. 21,066) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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